

AMENDED IN ASSEMBLY APRIL 14, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2266

Introduced by Assembly Member Bradford

February 18, 2010

An act to amend Section 35254 of the Education Code, relating to school district records.

LEGISLATIVE COUNSEL'S DIGEST

AB 2266, as amended, Bradford. School district records.

Existing law requires the Secretary of State, in consultation with the Department of General Services, to approve and adopt appropriate standards for the purpose of storing and recording documents in electronic media and requires the standards to include a requirement that a trusted system, as defined, be used.

Existing law authorizes the governing board of a school district to make photographic, microfilm, or electronic copies of records of the district and to destroy the original after the copy is made if provision is made for permanently maintaining the copy in the files of the district, except that an original record that is basic to a required audit is prohibited from being destroyed before the second July 1st after the completion of the audit.

This bill would authorize ~~copies when provisions are made for permanently maintaining the copies in a trusted system, as defined, and the reproductions are made in compliance with specified minimum standards or guidelines, or both~~ *the destruction of an original of a school district record of which a copy has been made if the governing board of a school district annually certifies that provisions are made to maintain the copies in a trusted system, as defined, and the copies are*

made in compliance with specified standards, regulations, or requirements. The bill would state that these provisions do not relieve the governing board of a school district from a requirement in law to produce an original record that is basic to a required audit, unless that record can be reproduced from the copy that was made from the original record.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35254 of the Education Code is amended
2 to read:

3 35254. (a) The governing board of any school district may
4 make photographic, microfilm, or electronic copies of any records
5 of the district. The original of any records of which a photographic,
6 microfilm, or electronic copy has been made may be destroyed
7 ~~when provisions are made for permanently maintaining the~~
8 ~~photographic, microfilm, or electronic copies in a trusted system,~~
9 ~~as defined in Section 12168.7 of the Government Code, and the~~
10 ~~reproductions are made in compliance with the minimum standards~~
11 ~~or guidelines, or both, as recommended by the American National~~
12 ~~Standards Institute or the Association for Information and Image~~
13 ~~Management for the recording of permanent records or~~
14 ~~nonpermanent records; if the governing board of the school district~~
15 ~~certifies in each fiscal year, by a motion of the board duly passed~~
16 ~~and adopted, that provisions are made to ensure that the~~
17 ~~photographic, microfilm, or electronic copies of any records of~~
18 ~~the school district meet both of the following requirements:~~

19 (1) *They are maintained in a trusted system, as defined in*
20 *subdivision (c) of Section 12168.7 of the Government Code.*

21 (2) *They are made in compliance with standards or regulations*
22 *approved and adopted by the Secretary of State pursuant to*
23 *subdivision (b) of Section 12168.7 of the Government Code or,*
24 *until standards and regulations are approved and adopted, in*
25 *compliance with the requirements of subdivision (d) of Section*
26 *12168.7 of the Government Code.*

27 (b) *This section does not relieve the governing board of a school*
28 *district from any requirement in law to produce an original record*
29 *that is basic to a required audit, unless that record can be*

- 1 *reproduced from the photographic, microfilm, or electronic copy*
- 2 *that was made from the original record.*

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